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Report of the African Regional Preparatory Meeting for the Tenth United Nations Congress on the Prevention of Crime and the Treatment of Offenders, held at Kampala from 7 to 9 December 1998

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I. Introduction

1. On the recommendation of the Commission on Crime Prevention and Criminal Justice and the Economic and Social Council, the General Assembly adopted resolution 53/110 of 9 December 1998, by which it decided to hold the Tenth United Nations Congress on the Prevention of Crime and the Treatment of Offenders in Vienna from 10 to 17 April 2000. The Assembly also decided that the theme of the Tenth Congress should be "Crime and justice: meeting the challenges of the twenty-first century". It approved a provisional agenda for the Tenth Congress that included the following four items:

(a) Promoting the rule of law and strengthening the criminal justice system;

(b) International cooperation in combating transnational crime: new challenges in the twenty-first century;

(c) Effective crime prevention: keeping pace with new developments;

(d) Offenders and victims: accountability and fairness in the justice process.

2. In the same resolution, the Assembly endorsed the programme of work for the Tenth Congress, including the holding of four practical-oriented technical workshops on the following subjects: combating corruption; crimes related to the computer network; community involvement in crime prevention; and women in the criminal justice system.

3. In the same resolution, the Assembly requested the Commission at its eighth session to prepare a draft declaration for submission to the Tenth Congress, taking into account the results of the regional preparatory meetings for the Congress, and urged the regional preparatory meetings to examine the substantive items of the agenda and workshop topics of the Tenth Congress and to make action-oriented recommendations to serve as a basis for the draft declaration to be considered by the Commission. The Assembly also requested the Tenth Congress to elaborate a single declaration containing its recommendations on the various substantive items of its agenda.

4. Accordingly, the African Regional Preparatory Meeting for the Tenth Congress examined the substantive agenda items and workshop topics for the Tenth Congress and formulated recommendations to be considered as elements for the draft declaration. The Meeting carried out its work on the basis of a discussion guide for the regional preparatory meetings (A/CONF.187/PM.1), which served as an annotated agenda, and a discussion guide on the workshops, ancillary meetings, symposia and exhibits to be held at the Tenth Congress (A/CONF.187/PM.1/Add.1).

II. Recommendations

5. The Meeting agreed that the action-oriented recommendations presented below, which reflect the African perspective, should be considered by the Commission in its preparation of the draft declaration to be submitted to the Tenth Congress. The Meeting emphasized that the recommendations would require concerted action at all levels in order to facilitate the active worldwide promotion of criminal justice policies and processes aimed at social justice, respect for human dignity, freedom, equality and security. The recommendations would require action by the following partners and actors, as well as recognition of their respective roles and contributions: Governments; relevant United Nations entities; national, regional, interregional and international institutions; intergovernmental and non-governmental organizations; and various segments of civil society, including the mass media and the private sector.

Topic I. Promoting the rule of law and strengthening the criminal justice system

6. Stable and genuine democracies and strong criminal justice systems are prerequisites for promoting and strengthening the rule of law. Concrete action should be taken to champion the cause of public safety and human rights and to promote the rule of law. Such action should include the broadening of channels of communication within and among societies and steps to increase the greater participation of non-governmental organizations, the private sector and free media in building up new partnerships and transparency and accountability of crime prevention and criminal justice policies. Special attention should be given to the prominent role that can be played by the various segments of civil society in these efforts. Specific time-bound goals should be established in this regard.

7. States should be provided with the required technical assistance for strengthening democratic institutions, guaranteeing the independence of judicial systems, applying the international norms of the administration of

criminal justice and preventing the marginalization of and discrimination against minorities.

8. The quinquennial United Nations congresses on the prevention of crime and the treatment of offenders should continue to provide a unique forum for the periodic exchange of information, experiences and expertise with a view to elaborating action-oriented recommendations and policy proposals on various types of transnational and domestic crime, including organized crime, as well as recommendations and policy proposals on criminal justice and penal reform.

9. Developing countries should be assisted in attending the congresses and the United Nations should make financial provisions to cover the travel and subsistence costs of one representative of each of the developing countries.

10. Increased emphasis should be placed on enabling the African Institute for the Prevention of Crime and the Treatment of Offenders to strengthen its position as a regional focal point and to undertake policy-oriented research, identify recommendations that can be implemented and other services to the countries of the region, fully embracing the precepts of the United Nations criminal policy developed since the inception of the United Nations Crime Prevention and Criminal Justice Programme.

11. The international community, including international and other organizations that support the objectives of the African Institute, should provide financial and other support to the Institute to guarantee its ability to meet its objectives. States that have acceded to the statute of the Institute should meet their financial obligations in a timely manner and outstanding dues should be paid.

Topic II. International cooperation in combating transnational crime: new challenges in the twenty-first century

12. Steps should be taken to modernize and/or strengthen global, regional and subregional legal and technical arrangements and instruments for the control and prevention of transnational crime by adapting them to the new patterns and dynamics of crime and supporting their early ratification and implementation.

13. Special attention should be given to the situation of developing countries as a result of the growing internationalization of criminal activities and their linkages with the global economy and advanced technologies.

14. Focused attention should be given to the effective implementation of global, regional and subregional cooperation and to the provision of the requisite financial resources to assist developing countries in meeting the obligations resulting from the implementation of various existing instruments and new legal initiatives emanating from the forthcoming United Nations convention against transnational organized crime, including substantial increases in technical cooperation and assistance.

15. Concerted efforts to combat money-laundering should become an important element in the fight against transnational organized crime. Countries lacking the technology required for effective measures against money-laundering should be provided with the necessary assistance.

16. Fighting corruption should be accorded top priority. Special attention should be given to "crime as business", recognizing its severe impact on the countries of the region and their economies. The importance of political will in fighting corruption and the principle of equality before the law should be emphasized. It is also important to ensure that adequate remuneration is provided to justice personnel so that they themselves do not succumb to corruptive practices.

17. Measures should be taken to combat corporate crime and transnational organized crime committed in developing countries, mostly by organized crime syndicates based in developed countries. Studies and analyses of this issue should be undertaken with the goal of proposing required action.

18. Information and statistical databases should be established and maintained in order to reflect the dynamics and patterns of transnational crime, particularly transnational organized crime, with a view to intensifying efforts to foster transparent, accountable and informed decision-making in criminal justice administration and to obtain a more harmonized approach to monitoring transnational crime.

19. Steps should be taken to promote more effective use of extradition and mutual legal assistance. Training programmes should be developed for relevant criminal justice personnel in the development, implementation and use of bilateral and multilateral legal assistance treaties. This should also lead to greater coordination and policy impact of the United Nations Crime Prevention and Criminal Justice Programme in combating such crime and an increased role of the African Institute for the Prevention of Crime and the Treatment of Offenders in collecting and

sharing data and other information on extradition and mutual legal assistance instruments in Africa.

20. Attention should be given to the increasing menace posed by widespread drug abuse, illicit drug trafficking and related crimes.

21. Efforts to combat terrorist crimes should be enhanced, recognizing the severe threat that they pose to human rights and the stability of countries. Steps should be taken to identify obstacles to progress in international cooperation in this regard, including provisions for political asylum, and to eliminate the financial sources of terrorism. Adequate time should be allocated to the discussion of combating terrorist crime in all its forms at relevant international forums, including the United Nations congresses on the prevention of crime and the treatment of offenders.

Topic III. Effective crime prevention: keeping pace with new developments

22. Increased attention should be given to new and innovative crime prevention initiatives, especially community policing, so as to set in place crime prevention strategies and measures that keep pace with new developments, are culturally sensitive and cost-effective and foster the effective participation of the various segments of society.

23. More resources should be allocated to carrying out crime prevention measures and to improving the technical skills of relevant personnel. Donor support for these activities is vital.

24. Concerted efforts should be made to develop new approaches to penal reform in Africa, which should take into account efforts to provide equitable access to justice for all, especially for the poor. Working relationships and coordination should be improved between government offices, criminal justice practitioners and non-governmental organizations.

25. Special attention should be given to the situation of vulnerable groups, such as women and children and the mentally ill, in criminal justice systems. The use of diversion from criminal justice systems and of alternative methods should be promoted.

26. Concerted efforts should be made to prevent the proliferation of firearms. Programmes should be initiated and evaluated for the collection and destruction of firearms with the involvement of communities and through reward schemes using development projects. Those projects should also help increase public awareness. Particular attention should be paid to the proliferation of conventional weapons, especially light arms, small arms and firearms in the African region, where such weapons pose a serious problem to disarmament and crime prevention, and the involvement of the African Institute for the Prevention of Crime and the Treatment of Offenders in projects on the prevention and control of illicit trafficking in those weapons. The United Nations Crime Prevention and Criminal Justice Programme should follow up on work involving a draft instrument on the prevention and control of illicit trafficking in and manufacturing of firearms and initiate preparations for the elaboration of a new instrument on the criminal use of explosives.

27. The United Nations should devise new instruments on the prevention and control of computer-related crime, which would adequately cover diverse levels of computerization in the developing and developed world.

Topic IV. Offenders and victims: accountability and fairness in the justice process

28. Concerted efforts should be taken to implement the provisions of the Kampala Declaration on Prison Conditions in Africa (annexed to Economic and Social Council resolution 1997/36 of 21 July 1997) and the Kadoma Declaration on Community Service (annexed to Council resolution 1998/23 of 28 July 1998). In particular, measures should be devised where necessary to reduce the number of remandees and trial prisoners.

29. Increased use should be made of restorative justice measures and practices and the use of alternatives to criminal prosecution and incarceration, such as victim compensation schemes, mediation, pre-trial release, conditional release, release on recognizance, release on bail, the use of fines and payment by instalment, payment of compensation for damages, awarding of suspended sentences, restitution and community service/labour. In monitoring the performance of prisons, comprehensive measures should be established to assess the influence of prison sentencing on rehabilitation programmes and recidivism rates.

30. Specific action should be taken, and time-bound targets established, to address the serious problem confronting many Member States as a result of prison overcrowding, recognizing that the conditions in overcrowded prisons may violate the human rights of prisoners and that many States lack the resources

to carry out effective programmes to alleviate prison overcrowding.

31. Increased attention should be given to issues relating to juvenile justice in order to improve the implementation of international standards and norms pertinent to juveniles, including the Convention on the Rights of the Child (annexed to General Assembly resolution 44/25 of 20 November 1989). Measures should be taken to address the increasing number of children in conflict with the law and children in difficult circumstances, as well as the severity of crimes committed by young offenders, and to provide adequate technical assistance to deal with those problems, including providing better opportunities for education as part of non-custodial measures.

32. Increased emphasis should be placed on enabling local communities to participate in the formulation of social defence and after-care programmes for prisoners and their families, taking into account the need to protect youth from delinquency, and the use of mediation, probation and other alternative measures as much as possible.

33. The emancipation of African women should receive special attention, thus enabling them to achieve equality before the law and contribute to sustainable development, in which accountability and a fair justice process are included.

34. Greater attention should be given to the further development of support services for victims and campaigns to increase the awareness of victims' rights and to the establishment of funds for victims. Efforts should be made to establish victim empowerment programmes aimed at providing victims with practical support.

35. More resources should be allocated in order to enable the penal system to function in accordance with established international standards and norms.

III. Attendance and organization of work

A. Date and venue of the Meeting

36. The Meeting was held in Kampala from 7 to 9 December 1998.

B. Attendance

37. The Meeting was attended by representatives and experts from States members of the Economic Commission for Africa and observers from States Members of the United Nations, United Nations bodies and intergovernmental and non-governmental organizations. A list of participants is contained in annex I.

C. Opening of the Meeting

38. The Meeting was opened by the Vice-President of Uganda, Specioza Wandira Kazibwe. The Minister for Internal Affairs, Tom Butime, also addressed the Meeting.

D. Election of officers

39. The Meeting elected the following officers by acclamation:

Chairman:	Tom Butime (Uganda)
Vice-Chairmen:	Iskander Ghattas (Egypt) Anaclet Imbiki (Madagascar) Cheikh Tidiane Mbaye (Senegal)
Rapporteur:	Vusumzi Patrick Pikoli (South Africa)

E. Adoption of the agenda and organization of work

40. Pursuant to Economic and Social Council resolution 1998/13 of 26 July 1998, the Meeting adopted the following agenda and organization of work:

1. Election of officers.
2. Adoption of the agenda and organization of work.
3. Consideration of the four substantive items of the provisional agenda for the Tenth United Nations Congress on the Prevention of Crime and the Treatment of Offenders:

   (a) Promoting the rule of law and strengthening the criminal justice system;

(b) International cooperation in combating transnational crime: new challenges in the twenty-first century;

(c) Effective crime prevention: keeping pace with new developments;

(d) Offenders and victims: accountability and fairness in the justice process.

4. Consideration of the workshops to be held at the Tenth Congress:

(a) Workshop on combating corruption;

(b) Workshop on crimes related to the computer network;

(c) Workshop on community involvement in crime prevention;

(d) Workshop on women in the criminal justice system.

5. Consideration of recommendations to serve as a basis for the draft declaration to be submitted by the Commission on Crime Prevention and Criminal Justice at its eighth session to the Tenth United Nations Congress on the Prevention of Crime and the Treatment of Offenders.

6. Adoption of the recommendations.

7. Consideration and adoption of the report of the Meeting.

8. Closure of the Meeting.

IV. Consideration of the four substantive agenda items of the provisional agenda for the Tenth United Nations Congress on the Prevention of Crime and the Treatment of Offenders

41. In their statements, participants emphasized the continued value of the United Nations congresses on the prevention of crime and the treatment of offenders as a venue for the exchange of views and experiences, for identifying emerging priorities and for formulating relevant strategies and policies. In particular, they emphasized the value of the congresses being attended by high-level government officials. They called upon the United Nations to finance the travel and daily subsistence of one representative from each of the least developed countries.

42. Many participants stressed the importance of the work of the African Institute for the Prevention of Crime and the Treatment of Offenders and called upon all African countries to support its work. They emphasized that the Institute was an invaluable tool for promoting effective regional cooperation in the area of human rights and criminal justice and for providing assistance in improving performance with respect to the issues of the rule of law, crime prevention and the administration of criminal justice. Many participants also pointed out that the Institute was in a unique position to deal with the topics identified for discussion by the Tenth Congress from a regional perspective. In referring to General Assembly resolution 53/113 of 9 December 1998 and the report of the Secretary-General on the Institute (A/53/381), they emphasized that all Member States that had acceded to the statute of the Institute should honour their financial commitments, and they urged African States that had not yet acceded to the statute to do so.

Topic I. Promoting the rule of law and strengthening the criminal justice system

43. Participants noted the direct linkage between promoting the rule of law and strengthening the criminal justice system to keep pace with the evolving political and socio-economic conditions in the various countries of the region. Whereas the continent had recently witnessed considerable progress in several areas, numerous factors continued to hamper progress in promoting the rule of law and criminal justice systems. Many participants described national experiences relating to the transition from dictatorial regimes to democratic institutions. They stressed that the basic principles of a democratic State governed by the rule of law included multi-partyism, freedom of the press, an independent judiciary and free, fair and transparent elections. Democratic institutions and good governance were vital for ensuring the rule of law and an effective criminal justice system, based on respect for human rights. Concern was expressed regarding the vulnerability of those institutions in conditions of political

and socio-economic instability, including tribalism, ethnic exclusion and the exclusion of the majority from participation in the management of public affairs. They noted that ensuring the rule of law was a basic responsibility of governments and that it required effective criminal justice systems. Efforts in that regard should take place within a framework that encouraged the economic regeneration of the African continent, which would lead to sustainable development and the establishment of genuine and stable democracies having strong public institutions and being supported by organs of civil society.

44. Participants stressed that efforts being made in various countries in the areas of security and development would be seriously constrained by higher crime levels if they were not appropriately controlled. They expressed the view that, in this regard, cooperation at the subregional, regional and international levels was essential and that intensified technical cooperation and assistance were urgently needed to strengthen and, in some cases, rebuild criminal justice systems.

45. Participants emphasized that ongoing civil wars and inter-State conflicts in the region represented a major threat to the promotion of the rule of law and the criminal justice system. They also stressed that efforts to promote the rule of law were often severely impaired by the negative effects of structural adjustment programmes undertaken in response to economic crises.

46. The Meeting emphasized that, as a counterweight to the central authority, there should be a civil society with non-governmental organizations, pressure groups and free media which could promote the rule of law. Attention should be paid to supporting their activities. The Meeting was of the opinion that they could play an effective role in educating the general public on the importance of the rule of law and the severe effects of its breakdown and could promote transparency and accountability.

Topic II. International cooperation in combating transnational crime: new challenges in the twenty-first century

47. Participants noted that the African region had not been spared the negative consequences of globalization and technological advances and that it had suffered considerably as a result of organized crime and economic crime. The situation in Africa was compounded by worsening levels of poverty, unstable economies, rising population growth, refugees, internal strife and concomitant migration.

48. The Meeting noted that transnational crime was versatile, increasingly sophisticated and mobile. Participants referred to the Dakar Declaration on the Prevention and Control of Organized Transnational Crime and Corruption (E/CN.15/1998/6/Add.1, para. 4). They emphasized the need for effective national and regional action against corruption, particularly in view of its serious debilitating effects on democratic institutions, the maintenance of the rule of law and development. The Meeting agreed that re-establishment of stability encouraged investors, improved development and acted to discourage migration. Multilateral arrangements had provided a framework for compatible and dynamic cooperation on various fronts, including at the regional level. Such cooperation had evolved through the convergence of policies and the beginning of a phase marked by States' gradual confidence-building. States could protect their common interests and values through such cooperation. The Meeting noted that the realization by States of their reliance, not only on their own capacity, but also on that of their neighbours, was crucial to overcoming obstacles to their well-being, particularly in the face of new technologies that should be placed increasingly at the service of law enforcement.

49. Extradition and mutual legal assistance were considered central elements in fighting transnational organized crime. The Meeting noted that great progress had been made by the international criminal justice community, which had taken a first step in that direction at the Sixth United Nations Congress on the Prevention of Crime and the Treatment of Offenders, held in Caracas from 25 August to 5 September 1980. Participants noted that other regional initiatives currently in use, including the transfer of criminal proceedings, the execution of foreign criminal judgements and the transfer of prisoners, had resulted in progress being made in dealing with transnational criminality. Countries covered by a regional arrangement might enjoy relative security from, and score successes against, organized criminal groups located or operating within the region. However, measures would be needed to counteract the effects of such groups relocating outside the region and continuing to target that region as a whole. Reference was made to the work of the African Institute for the Prevention of Crime and the Treatment of Offenders, which had conducted a seminar at the beginning of 1998 for senior officers responsible for

extradition and mutual assistance in the African region. The Institute was requested to spearhead the drafting of comprehensive conventions on extradition and mutual assistance in criminal matters for Africa. Reference was also made to the project of the African Institute on good governance and the prevention of corruption in Africa, in which the Institute would review existing laws and practices with a view to introducing appropriate legislative reform. An African model treaty against corruption, to be used to deal with corruption by coordinating and cooperating in the enforcement of measures against corruption, was planned for the near future.

50. The Meeting identified fighting corruption as a top priority for the region. It was noted that "crime as business" was a more serious threat to society and national economies than traditional forms of crime. The welfare and economic development of all segments of society might be drastically affected by criminal conduct such as bribery, price-fixing, the smuggling of stolen motor vehicles, arms and human beings and currency offences. Abuses of economic, social and political power were often interlinked. Economic crime served as a causal and aggravating factor in the corruption, both passive and active, of the governmental process and of public officials. The high economic and political status of the perpetrators of such crimes and the circumstances under which they were committed made law enforcement agencies relatively powerless and decreased the likelihood of the perpetrators being reported or prosecuted. The Meeting emphasized the importance of political will in combating corruption and the fact that it must be accompanied by instruments designed to bring the perpetrators to justice in accordance with the principle of equality before the law. There was a need to address the root causes of corruption. It was also necessary to ensure adequate remuneration for criminal justice personnel so that they themselves would not succumb to corruptive practices.

51. The Meeting emphasized the role that the various segments of civil society, especially non-governmental organizations and the media, could play in fighting corruption, particularly by educating the public on those matters. The value of the International Code of Conduct for Public Officials (annexed to General Assembly resolution 51/59 of 12 December 1996), was emphasized in this respect. The importance of technical assistance in the fight against corruption was stressed.

52. It was necessary to devote more attention to combating corporate crime, particularly in developing countries. The Meeting noted that there was a need for international cooperation to combat corporate crime. It was stressed that individual countries were not always in a position to fight corporate abuses that transcended national borders. The Meeting recalled that, at the Sixth Congress, an international strategy had been called for to combat, deter and prevent corporate crime worldwide, beginning with the compilation, study and analysis of all current national and international laws in that area. The Meeting was of the opinion that, with the emergence of new and more dangerous types of criminal activity, further studies were required on those issues in order to gauge the progress achieved since the holding of the Sixth Congress.

53. Taking effective measures against money-laundering should constitute an important element in the fight against transnational organized crime. Many countries lacked the technology and resources to fight money-laundering and urgently required effective support from the international community.

54. Participants emphasized that technical assistance was needed to enable countries to undertake effective measures against transnational organized crime. Substantial increases in technical cooperation and assistance at all levels should be accompanied by the political will to fight organized crime and the willingness to revise certain traditional approaches. In that respect, the convention against transnational organized crime, which was currently being prepared, would be a valuable instrument. The view was expressed that some countries might also require financial resources and technical assistance to enable them to implement the various legal initiatives stemming from that convention.

55. Many participants called for strengthened efforts to fight terrorism in all its forms. Those measures should include eliminating the sources of funding for terrorism. Related efforts should address such concerns as the severe threat that terrorism posed to human rights and the stability of countries. Steps should be taken to identify obstacles that hampered progress in international cooperation in those areas, including relevant provisions for political asylum. Participants also called for adequate time to be devoted at the Tenth Congress to discussing effective means of combating terrorism in all its forms and that that discussion should encompass such aspects as the elimination of loopholes in extradition and prosecution, provisions regarding asylum and increasing awareness of and international solidarity against terrorism.

56. The Meeting noted that drug abuse and related issues were increasingly becoming a major concern of the region and that they were closely interlinked with transnational organized crime.

57. Arms trafficking had become a well-rooted and highly profitable illegal business in Africa and a huge hindrance to development and stability. Civil wars continued to rage in various parts of the region and it was important for States to cooperate and coordinate their efforts to prevent and control arms trafficking. Civil wars drained extremely limited resources and crime prevention and criminal justice systems were largely ineffective during such times of strife. The Meeting noted that weapons of mass destruction posed a huge threat, not only to Africa but to humanity as a whole. Conventional weapons, especially light arms, small arms and firearms, should receive more attention in discussions on international disarmament. That was particularly important to the African region, where there was a proliferation of such weapons. Reference was made to the United Nations project on firearms regulation and to the fact that the African Institute for the Prevention of Crime and the Treatment of Offenders had initiated a project on firearms that focused on illegal trafficking in firearms in the region with a view to developing regional strategies of control.

Topic III. Effective crime prevention: keeping pace with new developments

58. The Meeting noted that, owing to the inherent characteristics of crime, the criminal justice system alone could not successfully prevent criminality. Crime prevention measures therefore required an integrated and broad approach, involving various sociological aspects and a broad spectrum of actors. The strengthening of the value of morality and legality must occupy a prominent place in preventive measures, and a culture of morality and legality should be promoted, particularly in political and administrative structures and in other spheres of social life. The Meeting noted that policies that place emphasis on civic education could go a long way towards preventing crime. The mass media, private sector and other segments of the civic community had a central role to play in that regard.

59. Participants noted that effective crime prevention measures required a good combination of regulation and deregulation that should be periodically monitored and adjusted. Attention should be paid to reducing the vulnerability of legitimate businesses to infiltration by organized crime syndicates.

60. It was considered essential that outdated laws be revised so that they would be in line with international standards and norms.

61. The value of collecting and analysing data with a view to identifying emerging trends, exchanging information and experiences and formulating adequate measures against crime was emphasized, particularly in regard to strengthening reciprocity among States.

62. The important role of community involvement in crime prevention was highlighted. It was necessary to re-establish security and eradicate the fear of crime among the general population. The restoration of public confidence in police forces was seen as an essential measure in that regard. It was noted that, in some countries, community involvement in crime prevention was a requirement that had been elevated to the level of a constitutional provision.

Topic IV. Offenders and victims: accountability and fairness in the justice process

63. Noting that Africa had had a victim-oriented criminal justice tradition that emphasized compensation and restoration, the Meeting called for a return to that tradition. It was noted that, in the African region, conventional use of the criminal justice system was expensive; therefore, it was essential to promote alternative measures, such as restorative justice, which was particularly effective in crime prevention measures in traditional cultures and societies, and, in that respect, to bring about a change of attitude among criminal justice personnel. Participants emphasized the importance of making available to victims of crime and to the general public adequate information on their rights vis-à-vis the criminal justice system. Attention should be given to implementing victim assistance programmes.

64. The Meeting noted that prison overcrowding was a serious problem in Africa and that effective alternatives to incarceration should be implemented. The Meeting emphasized that the human rights of prisoners should be safeguarded at all times and that non-governmental organizations should have a special role to play in that

regard, one that was recognized and supported by the authorities. The Meeting referred to recent declarations relating to prison overcrowding, in particular the Kampala Declaration on Prison Conditions in Africa and the Kadoma Declaration on Community Service.

65. The Meeting recognized that the factors leading to the commission of crime in the African region included poverty, lack of education, and the influence and negative impact of urban living, as opposed to rural living, on young people.

V. Consideration of the workshops to be held at the Tenth United Nations Congress on the Prevention of Crime and the Treatment of Offenders

66. Participants emphasized the relevance of many aspects of the four workshops to be held at the Tenth Congress to the concerns of developing countries relating to crime prevention and criminal justice. There was general agreement that the workshops should focus on demonstrating how to accomplish certain objectives, rather than on discussing underlying issues and problems and making recommendations.

A. Workshop on combating corruption

67. The Meeting stressed that, in some countries, new legislation had been introduced that reversed the burden of proof based on the concept of illicit enrichment, which placed the accused under the obligation of providing proof of innocence in a corruption case. The workshop on combating corruption could provide information to participants on how such new legislation had been negotiated and enacted. Participants at the workshop could also be provided with information on the practical results of such legislation on combating corruption. The African Institute for the Prevention of Crime and the Treatment of Offenders had expressed its readiness to assist the United Nations Interregional Crime and Justice Research Institute in providing the African perspective when devising the work for the workshop. The Meeting was in agreement that the workshop should be a springboard for technical assistance initiatives to be undertaken after the Tenth Congress and that those initiatives should be planned as part of the preparations for the workshop.

B. Workshop on crimes related to the computer network

68. In emphasizing the great disparity between developing countries and developed countries in the level of computerization, participants recommended that the workshop on crimes related to the computer network should have, among its objectives, the need to sensitize decision makers in developing countries to the increasing vulnerability of their telecommunication systems to abuse by computer hackers and other users. The workshop could include a demonstration on how developing countries in need of technical assistance might review their outdated laws and what the basic components for sound domestic legislation against computer-related crime could be. That would be all the more important in view of the constant advances in communication technology and the opportunities that they provided for misuse and abuse, which further complicated the task of legislators in elaborating provisions for the effective prevention and control of computer-related crime.

69. The Meeting endorsed a plan to include in the work programme of the workshop the presentation of a manual on the prevention and control of computer-related crime prepared by the International Criminal Police Organization (Interpol). The plan had been discussed at the expert meeting on crimes related to the computer network, held in Tokyo from 5 to 9 October 1998.

C. Workshop on community involvement in crime prevention

70. Participants viewed the workshop on community involvement in crime prevention as a platform for demonstrating how communities could be empowered to prevent crime. It should be stressed that the workshop on community involvement was an integral part of policies emphasizing good governance, accountability and transparency in relationships between members of civic society and law enforcement authorities. Participants referred to the establishment in their countries of national crime prevention councils to assist in efforts to follow a systematic approach to crime prevention. The Meeting was informed of assistance provided to one developing country

by the United Nations and the Commonwealth Secretariat in order to re-establish effective policing after a period of total breakdown of law and order. Participants also referred to similar examples of assistance provided by the United Nations Development Programme. It was agreed that the workshop organizers should make an effort to review examples of such international assistance within the United Nations system and to report thereon in the background paper to be prepared for the workshop.

71. The Meeting noted that the workshop should underline in its demonstration projects the prerequisites for effective crime prevention in the community, which included public confidence in the way in which law enforcement authorities discharged their responsibilities and mutual trust between law enforcement agencies and communities. Establishing such confidence and mutual trust would permit the vast resources of the community to be drawn upon in matters such as reporting and preventing crime, which could lead to improved witness-protection schemes. The Meeting stressed that the community should not be seen just as an actor in efforts to prevent crime. Law enforcement authorities should be guaranteed access to communities in order to carry out their obligations to detect and investigate crime and to seize and, if appropriate, confiscate its proceeds.

72. Participants gave examples of initiatives to prevent crime in the community, including crime prevention through environmental design, the involvement of former convicts, the involvement of the private sector, and neighbourhood watch schemes. Those few examples illustrated that the workshop had the potential to demonstrate a broad and diversified spectrum of community crime prevention initiatives. Reference should be made at the workshop to the work of non-governmental organizations such as the Asia Crime Prevention Foundation and Penal Reform International in preventing crime and reducing recidivism rates. The Meeting noted that the workshop should underline the value of indigenous, grass-roots and community-level crime prevention methods, which had a vital function in mobilizing the commitment and support of residents to counteract crime.

D. Workshop on women in the criminal justice system

73. Participants reviewed the various ways in which women were involved in the criminal justice system: as offenders, as victims and as criminal justice professionals. The Meeting noted that the workshop on women in the criminal justice system, when considering the issue of women as offenders, should take an incisive look at ways of changing structural and legal arrangements that made women especially vulnerable as prisoners, taking into account the plight of women inmates in some developing countries.

74. The Meeting was of the view that the workshop should give particular consideration to illustrating how mothers on remand or serving sentences could be permitted to meet their family obligations to feed and raise their children, who were the real victims of parental incarceration. The Meeting was aware of situations in some countries where unequal treatment of women by the legal system was practised, in contradiction to the principle of equality before the law. The workshop should address such issues and illustrate how the decriminalization of such "offences" could rectify situations involving the infringement of that principle. The workshop should also focus on the exploitation of women employed to smuggle various contraband and of women forced by circumstance into sexual exploitation.

75. In its consideration of the situation of women as victims of crime, the Meeting noted that the question of preventing and controlling domestic violence had to be addressed in a more operational way. The work of the United Nations in the field of human rights was mentioned in that regard. The Meeting suggested that a review of the accomplishments of the United Nations in that area should be made at the workshop. The Meeting was informed about the draft resource manual related to the Model Strategies and Practical Measures on the Elimination of Violence against Women in the Field of Crime Prevention and Criminal Justice (annexed to General Assembly resolution 52/86 of 12 December 1997), which was being prepared by the International Centre for Criminal Law Reform and Criminal Justice Policy. The Meeting recognized the potential of the manual to contribute to changing cultural, social and legal attitudes towards and perceptions of domestic violence and its victims, which might improve their treatment by the criminal justice system.

76. With regard to women as criminal justice professionals, the Meeting suggested that the workshop could provide examples of successful careers undertaken by women in criminal justice systems, in order to promote the importance of their work and roles in justice

administration. Participants were aware, however, that the workshop could best achieve that aim by demonstrating how the improvement of underlying structures in criminal justice administration could lead to the promotion of careers for women as criminal justice practitioners.

77. In concluding its deliberations on the draft work programme of the workshop, the Meeting noted that the Tenth Congress would present an opportunity to announce the practical proposals and action-oriented recommendations of the workshops for technical assistance projects.

Annex I

List of participants

Regional members and associate members of the Economic Commission for Africa

Algeria	El-Amine Derragui, Embassy of Algeria, Uganda
	Mohamed Mellah, Embassy of Algeria, Uganda
Benin	Honoré Koukoui Djossé, Procureur de la République près le Tribunal de Première Instance de Cotonou
Burundi	Damien Mvuyekure, Chargé d'affaires a.i. du Burundi, Uganda
Djibouti	Abdi Ismael Hersi, Directeur Général des Services Judiciaires, Ministère de la Justice
Egypt	Iskander Ghattas, Judge, Assistant Minister of Justice for International and Cultural Cooperation
	Sanaa Said Khalil, Judge, Chief, Court of Appeal, Cairo
	Hassan Said Taher, Judge, Deputy Head of the Department of International and Cultural Cooperation
Ethiopia	Dawit Kebede, Ambassador of Ethiopia, Uganda
	Kinfe Nidaro, Embassy of Ethiopia, Uganda
Gabon	Jean Clair Obame Essono, Magistrat, Procureur Général Adjoint, Conseiller Juridique du Ministre d'Etat
	Marie Anne Mboga, Magistrat, Directeur des Affaires Pénales et des Grâces
Kenya	Eliud Agweyu, Kenya High Commission, Uganda
Libyan Arab Jamahiriya	Saleh Ali Said, Second Secretary, Libyan Arab People's Bureau, Uganda
Madagascar	Anaclet Imbiki, Minister of Justice
	Maurice Randrianame, Commission de la Lutte Contre la Drogue
Malawi	H. S. Mganga, Deputy Commissioner of Police, officer-in-charge, CID, National Police Headquarters
Mozambique	Linder Lucas Gezela, Deputy Commissioner of Police, Department of Criminal Investigations
	Armando Machique Psungo, Minister Counsellor, Ministry of Foreign Affairs and Cooperation
Namibia	E. Shikongo, Commissioner of Prisons
	J. W. Nyoka, Deputy Commissioner of Prisons

Nigeria	Mamman Daura, High Commissioner of Nigeria to Uganda—Head of Delegation
	F. O. Adeyemo
	Adelakun-Abel Ayoko
	Clifford Moneke
Senegal	Cheikh Tidiane Mbaye, Colonel de Gendarmerie, Chef de la Cellule Documentation, Relations extérieures de l'État-Major particulier du Président de la République
Sierra Leone	Sampha Bilo Kamara, Superintendent of Prisons
	Richard Moigbe, Superintendent of Police, Commandant, Police Training School
South Africa	Vusumzi Patrick Pikoli, Deputy Director General, Department of Justice
	Lorraine Eve Glanz, Department of Justice
	Zaheer Laher, Department of Foreign Affairs
	S. Moodley, Deputy Commissioner, Support Services, Department of Correctional Services
	R. B. Robilliard, Deputy Director, International Relations, Department of Correctional Services
	Willie S. W. Coetzee
	Willie Clack
Swaziland	Amos D. Sithole, Senior Police Superintendent, Royal Swaziland Police
	C. S. Lukhele, Chief Anti-Corruption Officer, Swaziland Anti-Corruption Commission
Togo	Missiaméou Anani, Inspecteur Général des Services Judiciaires au Ministère de la Justice
	Bénivi Beni-Locco, Avocat Général à la Cour Suprême du Togo
Uganda	Tom Butime, Minister for Internal Affairs
	Joseph Etima, Commissioner of Prisons, Uganda Prison Service
	John Cossy Odomel, Inspector-General of Police, Uganda Police Force
	Paul Bachengana, Permanent Secretary, Ministry of Internal Affairs
	Richard Buteera, Director of Public Prosecutions, Ministry of Justice
	Constantine Karusoke, Commissioner, Uganda Human Rights Commission
	Jack Wamanga-Wamai, Principal Assistant Secretary, Ministry of Foreign Affairs
	Juventine Odoket, Assistant Commissioner, Community Affairs, Uganda Police Force
	Bob Ngobi, Uganda Police Force

United Republic of Tanzania	Onel Elias Malisa, Principal Commissioner of Prisons, Prisons Headquarters
	Mahamoud M. Sihomvi, Deputy Commissioner of Police, Criminal Investigation Department
	A. Munisi, Senior State Attorney, Attorney-General's Chambers
Zambia	Thadueos Nondo, Deputy Commissioner, Drug Enforcement Commission
Zimbabwe	Johannes John Michael Mbanga, Chief Superintendent, Officer-in-Command, Vehicle Theft Squad, Criminal Investigation Department

Observers

Austria	M. Siegel, Director, Österreichischer Entwicklungsdienst (OED), Kampala
Holy See	Luis Robles Diaz, Archbishop, Apostolic Nuncio—Head of Delegation
	Cyprian Masembe, Reverend, Director, Commission for Justice and Peace of the Archdiocese of Kampala

United Nations Secretariat

Office for Drug Control and Crime Prevention, United Nations Office at Vienna

United Nations bodies and affiliated institutes

United Nations Development Programme, African Institute for the Prevention of Crime and the Treatment of Offenders, International Centre for Criminal Law Reform and Criminal Justice Policy

Intergovernmental organizations

International Committee of the Red Cross

Non-governmental organizations in consultative status with the Economic and Social Council

International Federation of Business and Professional Women, Penal Reform International

Experts

Harvey L. McMurray, Fullbright Scholar, Makerere University, Criminal Justice Department, North Carolina Central University

Ariu Tadeu, Member of the Judiciary, Uganda

Annex II

List of documents

Basic documents

A/CONF.169/16/Rev.1	Report of the Ninth United Nations Congress on the Prevention of Crime and the Treatment of Offenders
A/CONF.187/PM.1	Discussion guide for the regional preparatory meetings for the Tenth United Nations Congress on the Prevention of Crime and the Treatment of Offenders
A/CONF.187/PM.1/Add.1	Discussion guide for the demonstration and research workshops
A/CONF.187/CRP.1	Workshop on women in the criminal justice system: draft plan for the preparation of the workshop, submitted by the European Institute for Crime Prevention and Control, affiliated with the United Nations
A/CONF.187/CRP.2	The Tenth Congress workshop on combating corruption, submitted by the United Nations Interregional Crime and Justice Research Institute
A/CONF.187/CRP.3	Report of the expert meeting on crimes related to the computer network, submitted by the Asia and Far East Institute for the Prevention of Crime and the Treatment of Offenders
A/CONF.187/CRP.4	Draft plan for the preparations for the workshop on community involvement in crime prevention, submitted by the International Centre for the Prevention of Crime
A/CONF.187/L.1 and Add.1-4	Draft report of the African Regional Preparatory Meeting for the Tenth United Nations Congress on the Prevention of Crime and the Treatment of Offenders, held in Kampala from 7 to 9 December 1998

Background documents

E/CN.15/1996/15	Report of the Secretary-General on proposals for the preparations for the Tenth United Nations Congress on the Prevention of Crime and the Treatment of Offenders
E/CN.15/1997/2 and Corr.1 and Add.1	Report of the Secretary-General on preparations for the Tenth United Nations Congress on the Prevention of Crime and the Treatment of Offenders

E/CN.15/1998/2	Report of the Secretary-General on progress made in the preparations for the Tenth United Nations Congress on the Prevention of Crime and the Treatment of Offenders
E/CN.15/1998/5	Report of the meeting of the inter-sessional open-ended intergovernmental group of experts on the elaboration of a preliminary draft of a possible comprehensive international convention against organized transnational crime, held in Warsaw from 2 to 6 February 1998
E/CN.15/1998/6/Add.1	Report of the Secretary-General on the recommendations of the African Regional Ministerial Workshop on Organized Transnational Crime and Corruption, held at Dakar from 21 to 23 July 1997
E/CN.15/1998/6/Add.2	Report of the Asian Ministerial Workshop on Organized Transnational Crime and Corruption, held at Manila from 23 to 25 March 1998
E/CN.15/1998/11	Report of the Commission on Crime Prevention and Criminal Justice on its seventh session